

AMENDED IN ASSEMBLY MARCH 29, 2016

AMENDED IN ASSEMBLY MARCH 9, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1639

Introduced by Assembly Member Maienschein
(Coauthors: Assembly Members ~~Bonilla~~ Bonilla, Brough, and Dodd)
(Coauthor: Senator Bates)

January 7, 2016

An act to add Article 14 (commencing with Section 33480) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1639, as amended, Maienschein. Pupil health: Sudden Cardiac Arrest Prevention Act.

Existing law requires a school district, charter school, or private school that elects to offer an athletic program to comply with certain requirements relating to pupil safety, including, among other things, removing an athlete who is suspected of sustaining a concussion or head injury from an athletic activity.

This bill would create the Sudden Cardiac Arrest Prevention Act and would require the State Department of Education to ~~develop guidelines post on its Internet Web site~~ *post on its Internet Web site* ~~guidelines, videos, and an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials relating to sudden cardiac arrest, and to post the information on the department's Internet Web site.~~ *arrest*. The bill would require a pupil in any public school, including a charter school, or private school that elects to conduct athletic activities, and the pupil's parent or

guardian, to sign and return an acknowledgment of receipt of an information sheet on sudden cardiac arrest symptoms and warning signs each school year before the pupil participates in an athletic activity. ~~activity, as specified.~~ The bill would require an athletic director, coach, or athletic trainer to remove from participation a pupil who passes out or faints while participating in or immediately following an athletic activity, and would require a coach of an athletic activity to complete a sudden cardiac arrest training course every other school year. The bill would impose penalties, on and after July 1, 2019, for a violation of the provision requiring ~~removal of a pupil from an athletic activity and the provision requiring~~ a coach to complete a sudden cardiac arrest training course, as specified. The bill would make the act's provisions operative on July 1, 2017.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 14 (commencing with Section 33480) is
2 added to Chapter 3 of Part 20 of Division 2 of Title 2 of the
3 Education Code, to read:

4
5 Article 14. Sudden Cardiac Arrest Prevention Act
6

7 33480. This act shall be known, and may be cited, as the
8 Sudden Cardiac Arrest Prevention Act.

9 33481. For purposes of this article, the following definitions
10 apply:

11 (a) "Athletic activity" includes all of the following:

12 (1) Interscholastic athletics.

13 (2) An athletic contest or competition, other than interscholastic
14 athletics, that is sponsored by ~~or associated with~~ a school, including
15 ~~cheerleading, cheerleading and club-sponsored sports activities,~~
16 ~~and sports activities sponsored by school-affiliated organizations.~~
17 *activities.*

18 (3) Noncompetitive cheerleading that is sponsored by ~~or~~
19 ~~associated with~~ a school.

20 (4) Practices, interscholastic practices, and scrimmages for all
21 of the activities listed under paragraphs (1) to (3), inclusive.

1 (b) “School” means a public school, including a charter school,
2 or private school that elects to conduct athletic activities.

3 33482. (a) The department shall ~~develop, using relevant~~
4 ~~materials and training videos used by the Eric Paredes Save A Life~~
5 ~~Foundation, the California Interscholastic Federation, and the~~
6 ~~National Federation of High School Associations, and shall post~~
7 ~~on its Internet Web site—~~*guidelines, videos, and an*
8 *information sheet on sudden cardiac arrest symptoms and warning*
9 *signs, and other relevant materials to inform and educate pupils,*
10 *pupils and parents, and to train coaches about the nature and*
11 *warning signs of sudden cardiac arrest, including the risks*
12 *associated with continuing to play or practice after experiencing*
13 *fainting or seizures during exercise, unexplained shortness of*
14 *breath, chest pains, dizziness, racing heart rate, or extreme fatigue.*

15 (b) ~~In developing the guidelines and materials, Materials posted~~
16 ~~by the department on its Internet Web site may use an educational~~
17 ~~video hosted on include, but are not necessarily limited to, those~~
18 ~~developed or used for sudden cardiac arrest education and coaches~~
19 ~~training by the National Federation of High School Associations~~
20 ~~Internet Web site, or similar material of another provider approved~~
21 ~~by the department, as a training course to educate coaches about~~
22 ~~sudden cardiac arrest. Associations, the Eric Paredes Save A Life~~
23 ~~Foundation, or the California Interscholastic Federation.~~

24 (c) School districts and schools are encouraged to post on their
25 Internet Web sites the information and material required to be
26 posted by the department pursuant to subdivision (a) to give pupils,
27 parents, and coaches ready access to the information.

28 33483. Each school year, before a pupil participates in an
29 athletic ~~activity, the activity governed by the California~~
30 ~~Interscholastic Federation, the school shall collect and retain a~~
31 ~~copy of the sudden cardiac arrest information sheet required by~~
32 ~~the California Interscholastic Federation for that pupil. Before a~~
33 ~~pupil participates in an athletic activity not governed by the~~
34 ~~California Interscholastic Federation, the pupil and the pupil’s~~
35 ~~parent or guardian shall sign and return to the pupil’s school an~~
36 ~~acknowledgment of receipt and review of the information sheet~~
37 ~~developed by the department posted on the department’s Internet~~
38 ~~Web site pursuant to subdivision (a) of Section 33482.~~

39 33484. A school may hold an informational meeting before
40 the start of each athletic season for all ages of competitors regarding

1 the symptoms and warning signs of sudden cardiac arrest. In
2 addition to pupils, parents, coaches, and other school officials,
3 informational meetings may include physicians, pediatric
4 cardiologists, and athletic trainers.

5 33485. (a) A pupil who passes out or faints while participating
6 in or immediately following an athletic activity, or who is known
7 to have passed out or fainted while participating in or immediately
8 following an athletic activity, shall be removed from participation
9 at that time by the athletic director, coach, or athletic trainer.

10 (b) A pupil who exhibits any of the other symptoms of sudden
11 cardiac arrest, ~~as set forth~~ *described* in subdivision (a) of Section
12 33482, during an athletic activity, may be removed from
13 participation by an athletic trainer, if the athletic trainer reasonably
14 believes that the symptoms are cardiac related. In the absence of
15 an athletic trainer, any coach who observes any of the symptoms
16 of sudden cardiac arrest shall notify the parent or guardian of the
17 pupil so that the parent or guardian can determine what treatment,
18 if any, the pupil should seek.

19 (c) A pupil who is removed from play under this section shall
20 not be permitted to return to participate in an athletic activity until
21 the pupil is evaluated and cleared to return to participate in writing
22 ~~by an appropriate medical professional.~~ *a licensed health care*
23 *provider.*

24 (d) *This section does not apply to a pupil engaging in an athletic*
25 *activity during the regular schoolday or as part of a physical*
26 *education course required pursuant to subdivision (d) of Section*
27 *51220 unless it constitutes a practice, interscholastic practice, or*
28 *scrimmage pursuant to paragraph (4) of subdivision (a) of Section*
29 *33481.*

30 33486. (a) A coach of an athletic activity shall complete the
31 sudden cardiac arrest training course specified in ~~subdivision (b)~~
32 ~~of~~ Section 33482 and shall retake the training course every two
33 years thereafter.

34 (b) A coach of an athletic activity shall not be eligible to coach
35 an athletic activity until the coach completes the training course
36 required under subdivision (a).

37 33487. (a) On and after July 1, 2019, a coach who violates
38 ~~subdivision (a) of Section 33485 or Section 33486~~ shall be subject
39 ~~to the following penalties:~~ *suspension from coaching any athletic*
40 *activity until completion of the required training.*

1 ~~(1) For a first violation, suspension from coaching any athletic~~
2 ~~activity for the remainder of the season.~~

3 ~~(2) For a second violation, suspension from coaching any athletic~~
4 ~~activity for the remainder of the season and for the next season.~~

5 ~~(3) For a third violation, permanent suspension from coaching~~
6 ~~any athletic activity.~~

7 (b) A coach shall not be exposed to civil liability for his or her
8 action or inaction under this article unless the coach is found to
9 have acted in a grossly negligent or reckless manner.

10 33488. The sponsors of youth athletic activities are encouraged
11 to follow the guidelines specified in this article.

12 33489. This article is operative on July 1, 2017.